

FILED

AUG 05 2024

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY [Signature]
DEPUTY CLERKDavid Pierre-Jones #B28033
Name and Prisoner/Booking NumberSalinas Valley State Prison
Place of ConfinementP.O. Box 1050
Mailing AddressSoledad, CA 93960
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**David Pierre-Jones
(Full Name of Plaintiff) Plaintiff,

v.

(1) Jeremy DeFranco
(Full Name of Defendant)

(2) _____

(3) _____

(4) _____

Defendant(s).

☐ Check if there are additional Defendants and attach page 1-A listing them.CASE NO. 1:24-CV-00904-CDB-LPC

(To be supplied by the Clerk)

**CIVIL RIGHTS COMPLAINT
BY A PRISONER**☒ Original Complaint☐ First Amended Complaint☐ Second Amended Complaint**RECEIVED**

AUG 05 2024

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).☐ Other: _____2. Institution/city where violation occurred: California Correctional Institute, Tehachapi

B. DEFENDANTS

1. Name of first Defendant: Jeremy DeFranco. The first Defendant is employed as:
Psychiatrist at CCI Tenachapi.
(Position and Title) (Institution)
2. Name of second Defendant: _____. The second Defendant is employed as:
_____ at _____.
(Position and Title) (Institution)
3. Name of third Defendant: _____. The third Defendant is employed as:
_____ at _____.
(Position and Title) (Institution)
4. Name of fourth Defendant: _____. The fourth Defendant is employed as:
_____ at _____.
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☒ Yes ☐ No
2. If yes, how many lawsuits have you filed? 1. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: Pierre-Jones v. Campos et al
 2. Court and case number: Eastern District 1:23-cv-01372-KES-SKO
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?)
Case is still pending.
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION**CLAIM I**

1. State the constitutional or other federal civil right that was violated: US Constitutional 8th amendment, cruel and unusual punishment. Deliberate Indifference

2. **Claim I.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input checked="" type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |

3. **Supporting Facts.** State as briefly as possible the FACTS supporting Claim I. Describe exactly what **each Defendant** did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.

On February 29th 2024 while housed on facility A in the California Correctional Institute, the plaintiff reported to medical officials. At that time that i was in a suicidal train of thought. the defendant Mr. DeFranco appeared in response and explained that he was a doctor with mental health. I specifically told him that i had metal in my mouth and that i was going to take it and use it to cut my arms and my insides. Once Mr. DeFranco got this information he left and told custody to take me back into a holding cell. As soon as i was returned to a holding cell i began cutting myself on the arm Mr. DeFranco received this information and cleared me from having any suicidal ideations despite swallowing metal scraps right in front of him and scratching my arm all the while i stayed in the holding cell.

4. **Injury.** State how you were injured by the actions or inactions of the Defendant(s).

Mr. DeFranco's Deliberate indifference to my serious medical need promptly caused me to hurt myself by ~~scraping~~ scraping my arm until i bled.

5. **Administrative Remedies:**

- a. Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
- b. Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
- c. Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
- d. If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

E. REQUEST FOR RELIEF

State the relief you are seeking:

The defendant is sued in his individual capacity in the Amount of \$ 900,000 dollars for general Damages, and \$ 100,000 in ~~and~~ punitive Damages.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 7/29/24
DATE

Willie
SIGNATURE OF PLAINTIFF

(Name and title of paralegal, legal assistant, or other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.